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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Water Wheel Camp Recreational Area,)
10 Inc., et al.,)
11 Plaintiffs,)
12 vs.)
13 Gary LaRance, et al.,)
14 Defendants.)
15

No. CV08-0474-PHX-DGC

ORDER

16 On May 23, 2008, the Court held a hearing on Plaintiffs' Second Emergency
17 Application and Motion for Temporary Restraining Order and Preliminary Injunction.
18 Dkt. #26. For reasons stated in detail on the record, the Court denied the application.
19 Plaintiffs must exhaust their jurisdictional arguments in tribal court before asserting them in
20 this court. *See National Farmers Union Ins. Co. v. Crow Tribe of Indians*, 471 U.S. 845,
21 853-57 (1985); Dkt. #18.

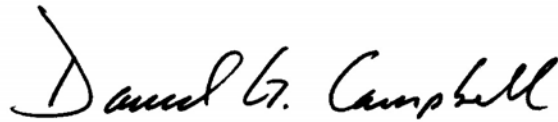
22 **IT IS ORDERED:**

- 23 1. Plaintiffs' Second Emergency Application and Motion for Temporary
24 Restraining Order and Preliminary Injunction (Dkt. #26) is **denied**.
25 2. If the tribal courts decide that they do have jurisdiction to hear the eviction
26 action against Plaintiffs, Defendants must afford Plaintiffs a period of 15 days
27 to seek review of their jurisdictional arguments in this Court before entering
28 an order that will empower the Colorado River Indian Tribes to evict Plaintiffs

1 from the property or take other action to interfere with the Plaintiffs'
2 occupancy of the property.

- 3 3. On or before **September 5, 2008**, the parties shall jointly file a status report
4 concerning Plaintiffs' exhaustion of their jurisdictional arguments in tribal
5 court.

6 DATED this 23rd day of May, 2008.

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10 David G. Campbell
11 United States District Judge
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